MINUTES

OF THE

NORTH CAROLINA ALARM SYSTEMS LICENSING BOARD

DATE: September 13, 2007

TIME: 1:30 P.M.

PLACE: Hampton Inn

Raleigh, North Carolina

SUBMITTED BY: Terry Wright

Director

MEMBERS PRESENT: MEMBERS ABSENT:

Brad Smith Courtney Brown

Doc Hoggard Darrell Furr Anita Pfaff Johnny Phillips

STAFF PRESENT:

Director Terry Wright

Deputy Director Mark Poole

Field Services Supervisor Larry Liggins

Board Secretary Nan Williams

Attorney Charles McDarris

Training Officer Tim Pressley

VISITORS:

Rockwell Goeller Keith Hatcher Jerry Harmon Robert Kenney Stephen Holmes Alfred Brunjes Jr **Sharon Brunjes** Grant Thayer Carole McLester Ray McLester Shawn M. Walker Robert Walsh James Ankeny Gregory McLean Don Becom Stan Braddy

Heather Tinsley Kellie Dunlap Walt Valkheimer Floyd Cook

Richard Crabtree Wesley T. Brown, III

David Bollinger Ian Flowers
Anthony Manderochio William D. Cruise

Fran Cruise Eric Scott
Ennis Wesley Law Tom Hodges
Michael W. Cartagena Anthony Cecil
Kristopher J. Bocholrs Anthony Wilkins
Lorrie Hudnell Elizabeth Rogers
Louis Snyder Ray Lindberg
Gregory Yancey Timothy Dixon

3:15 P.M. The September 13, 2007 meeting of the North Carolina Alarm Systems Licensing Board was called to order by Chairman Smith. Chairman Smith apologized for the delay in starting the meeting.

In accordance with the Governor's Executive Order Number 1, Attorney Charles McDarris read the following information. "It is the duty of every Board member to avoid both conflicts of interest and appearances of conflict. If any member has any known conflict of interest or appearance of conflict with respect to any matters coming to this Board today, please identify the conflict or appearance of conflict and refrain from any deliberation and vote in that particular matter."

Chairman Smith welcomed guests.

MR. HOGGARD MADE A MOTION TO APPROVE THE MINUTES OF THE JULY 20, 2007 BOARD MEETING. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

Ms. Pfaff reported the results of the Screening Committee. See attached Screening Committee Report. It was noted that Mr. Smith recused himself from hearing or voting on any action in regard to applicant Robert Alan Landaas.

MR. PHILLIPS MADE A MOTION TO APPROVE THE SCREENING COMMITTEE REPORT AS PRESENTED. SECONDED BY MR. FURR. MOTION CARRIED.

MS. PFAFF MADE A MOTION TO APPROVE THE REGISTRATION REPORT AS PRESENTED. SECONDED BY MR. HOGGARD. MOTION CARRIED.

Mr. Smith reported that he and Mr. Hoggard met as the Grievance Committee on September 13, 2007 from 8:20 am to 12:05 pm. The following individuals were present: Mr. David Baratta, Mrs. Jennifer Baratta, Mr. Stanley L. Huffstetler, Mr. Dan Patterson, Mr. Ryan Newcomer, Mr. James Fitts, Mr. Charles Smith, Mrs. Donna Smith, Mr. Carl Loye, Mr. William Francis, and Mr. Joseph Aman. See

attached Grievance Committee Report.

FINAL AGENCY DECISIONS

Mr. McDarris removed himself as counsel to the Board and presented three cases for final agency decisions.

LOUIS SYLVESTER SNYDER - 07 DOJ 0531. This case was heard by Administrative Law Judge Donald W. Overby on May 29, 2007. The issue before the Judge was the denial of an alarm registration permit for knowingly making a false statement or misrepresentation in an application made to the Board for a license or registration. Mr. Louis Snyder was present along with his attorney, Mr. Reed Fountain, Mr. Daniel Comfort, and Mr. George Lukei. Mr. Fountain addressed the Board.

MR. PHILLIPS MADE A MOTION TO APPROVE THE RENEWAL OF MR. SNYDER'S REGISTRATION PERMIT WITH THE STIPULATION THAT AT THE END OF THE TWO YEAR RENEWAL PERIOD, MR. SNYDER BE REQUESTED TO APPEAR BEFORE THE FULL BOARD FOR A REVIEW TO SHOW THAT HE HAS NOT BEEN CONVICTED OF A MISDEMEANOR OR FELONY. SECONDED BY MR. FURR. MOTION CARRIED.

JOHN ROBERT FEDYSZYN - 06 DOJ 1345. This case was heard by Administrative Law Judge Beryl E. Wade on August 29, 2006. The issue before the Judge was the denial of an application for an Alarm Systems Business License for lack of verifiable experience. Mr. McDarris stated that Mr.Fedyszyn had taken and passed the Alarm Technician Level I Course in lieu of experience, therefore the issue that was before the Court is now moot. Mr. Fedyszyn was not present.

MR. PHILLIPS MADE A MOTION TO ISSUE AN ALARM SYSTEMS BUSINESS LICENSE TO MR. FEDYSZYN AFTER HE HAS SUBMITTED A CURRENT CRIMINAL HISTORY CHECK AND A REVIEW OF HIS CREDIT REPORT. SECONDED BY MR. FURR. MOTION CARRIED.

DARYL W. MARTIN - 07 DOJ 0530. This case was heard by Administrative Law Judge Donald W. Overby on May 29, 2007. The issue before the Judge was the denial of an alarm registration permit for lack of good moral character or temperate habits. Mr. Martin was not present.

MR. HOGGARD MADE A MOTION TO UPHOLD THE JUDGE'S DECISION TO DENY THE APPLICATION FOR AN ALARM REGISTRATION PERMIT. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

SPECIAL REPORTS

Mr. Smith presented the Continuing Education Sub-committee report.

- 1. Understanding Access Control- The committee recommends approval of this course for 4 CEU's.
- 2. False Alarm Reduction The committee recommends approval of this course for 2 CEU's.
- 3. Understanding Digital Video Recorders (DVRs) The committee recommends approval of this course for 2 CEU's.
- 4. Basic Networking and Network Video The committee recommends approval of this course for 2CEU's
- 5. CCTV Camera Lens Selection The committee recommends approval of this course for 2 CEU's.
- 6. Alternative Means of Video Transmission for CCTV The committee recommends approval of this course for 2 CEU's.
- 7. Gate Access Systems The committee recommends denial of CEU's for this course because the course's main focus is on gate operators and functions and the committee feels approving this course would not be appropriate.
- 8. Code Requirements for Access Control The committee recommends approval of this course for 2 CEU's.
- 9. Design Consideration for Access Control Systems The committee recommends approval of this course for 2 CEU's.
- 10. Installing Lock Hardware for Access Control Systems The committee recommends approval of this course for 2 CEU's.
- 11. The Art of Persuasion: The Key Steps to Getting Your Clients, Employees and Colleagues on Board to Grow a High Performing Business The committee recommends denial of CEU's for this course because the course's main focus is on business practices and the committee feels approving this course would not be appropriate.

MR. FURR MADE A MOTION TO ACCEPT THE RECOMMENDATIONS OF COURSES 1-11 AS PRESENTED. SECONDED BY MS. PFAFF. MOTION CARRIED.

A discussion was held on course number 12, Networked Security Systems: Fundamentals of TCP/IP Networks. Mrs. Carole McLester and Mr. Grant Thayer addressed the Board in regard to approving the course.

MR. FURR MADE A MOTION TO APPROVE THIS COURSE FOR 3 CEU'S. SECONDED BY MR. PHILLIPS. MOTION CARRIED.

BREAK: 5:00 P.M. RECONVENED: 5:15 P.M.

UNFINISHED BUSINESS

Mr. McDarris stated at the last meeting it was discussed whether or not a registrant could be held responsible for violations of 74D or the administrative rule similar to licensees. Mr. McDarris feels that the Board has jurisdiction to hold a registrant responsible if the registrant violates 74D or the administrative rule. The Board agreed that a registrant should be accountable if they violate the law or rule.

OLD BUSINESS

None.

NEW BUSINESS

Mr. Wright stated that he, the staff, and the Board's Attorney are researching and meeting with vendors who provide on-line out of state criminal records checks. Mr. Wright advised that they will continue to gather information and report their findings to the Board at a future meeting.

Mr. Smith stated that due to the volume of business to address that the Board is going back to the two day meetings. The Grievance Committee will meet on Wednesdays beginning at 1:00 pm and the Screening Committee will meet on Thursdays at 9:00 am with the public meeting beginning at 1:30 pm.

MR. PHILLIPS MADE A MOTION TO APPROVE THIS SCHEDULE. SECONDED BY MS. PFAFF. MOTION CARRIED.

Mr. Liggins introduced Mr. Phillip Stephenson who has been hired as a temporary investigator to help on backgrounds since Investigator Helen Parker will be retiring soon.

DIRECTOR'S REPORT

Mr. Wright presented the written report and advised that as of August 1, 2007 the combined budget balance was \$308,975.18. The Alarm Recovery Fund balance was \$25,060.12. The Board has 4131 registrants and 806 licensees as of September 12, 2007.

Mr. Wright stated that there are several vacancies in our Registration Unit and that interviews have been set up to fill several of the positions.

ATTORNEY'S REPORT

Mr. McDarris reported on the following consent agreements:

Frank Chaput of Power Home Technologies - Consent Agreement of \$4,569.60 has been issued. George Bryan of Diverse Security Systems - Consent Agreement of \$8,160.00 has been issued.

Mr. McDarris reported on the following rule:

12 NCAC 11 .0210 - The proposed rule to state that the electrical licensee must be employed on a full time basis has been filed with the Office of Administrative Hearings/Rule Division. This rule was previously published but the Board made changes at the last meeting that required re-publication.

Mr. McDarris stated that the Town of Huntersville did not have a problem with the concerns and changes requested by the Board in regard to the ordinance.

Mr. McDarris stated that the Town of Indian Trail is moving forward in reviewing the changes requested by the Board.

Mr. McDarris stated that the ethics course must be taken by January 2008. Mr. Phillips and Mr. Brown need to make sure that they take this course in time. Mr. McDarris will let them know the specific dates.

Mr. McDarris reported that City of Greenville is contracting with a third party vendor to have alarm companies supply a list of all existing customers in the city limits of Greenville and new City of Greenville customers upon sale or installation of an alarm system. Mr. McDarris stated that he has looked over the forms and does not really see a lot of concerns with them at this point. Mr. McDarris will report later on this matter.

GOOD OF THE ORDER

MR. PHILLIPS MADE A MOTION TO ADJOURN. SECONDED BY MR. FURR. MOTION CARRIED.

Meeting Adjourned:	5:45 p.m.		
		Terry Wright Director	
		Nan Williams	
		Reporter	

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